

# SUMMARY ANALYSIS OF AMENDED BILL

## Franchise Tax Board

Author: Hurtt Analyst: Roger Lackey Bill Number: SB 2119

Related Bills: See Prior Analysis Telephone: 845-3627 Amended Date: 07-08-98

Attorney: Doug Bramhall

Sponsor:

**SUBJECT:** State Agency Reports To The Legislature/Place On Internet & Notify by Email

DEPARTMENT AMENDMENTS ACCEPTED. Amendments reflect suggestions of previous analysis of bill as introduced/amended \_\_\_\_\_.

AMENDMENTS IMPACT REVENUE. A new revenue estimate is provided.

AMENDMENTS DID NOT RESOLVE THE DEPARTMENT'S CONCERNS stated in the previous analysis of bill as introduced/amended \_\_\_\_\_.

FURTHER AMENDMENTS NECESSARY.

DEPARTMENT POSITION CHANGED TO \_\_\_\_\_.

☒ REMAINDER OF PREVIOUS ANALYSIS OF BILL AS AMENDED June 24, 1998, STILL APPLIES.

☒ OTHER - See comments below.

### SUMMARY OF BILL

This bill would provide that every state or local agency that is required by law to prepare and submit a report to the Legislature shall place the report on the Internet and notify the Legislative Counsel, the Secretary of the Senate, and the Chief Clerk of the Assembly of the report's availability by electronic mail via the Internet.

### SUMMARY OF AMENDMENT

The July 8, 1998, amendment eliminated the election for state and local agencies to submit reports either on the Internet or in hard copy. Instead, reports for the Legislature would be required to be available on the state agency's website.

The July 8, 1998, amendment also provided that a state or local agency that does not maintain an Internet website shall be deemed to have complied with the bill's provisions if the agency submits a hard copy of the required report and a summary of its contents to the Legislative Counsel, the Secretary of the Senate, and the Chief Clerk of the Assembly.

As a result of the July 8, 1998, amendment, the implementation concern identified in the department's analysis of SB 2119 as amended April 27, 1998, again applies.

Except for the discussion in this analysis, the department's analysis of SB 2119, as amended June 24, 1998, still applies.

### Board Position:

<input checked="" type="checkbox"/> X	S	_____	NA	_____	NP
_____	SA	_____	O	_____	NAR
_____	N	_____	OUA	_____	PENDING

Department/Legislative Director

Date

Johnnie Lou Rosas

7/24/98

Implementation Considerations

This bill is unclear as to the type of report that would be placed on the Internet. Some reports required or directed by the Legislature may contain confidential tax information, and disclosure of that information on the

Internet would violate federal or state law. Amendment 1 would provide that any state or local agency that is required to submit reports to the Legislature via the Internet would not be required to post such reports on the state or local agency's Internet website if the reports contain confidential information.

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FRANCHISE TAX BOARD'S  
PROPOSED AMENDMENTS TO SB 2119  
As Amended June 17, 1998

AMENDMENT 1

On page 4, between lines 13 and 14, insert:

(f) This section shall not be construed to require a state or local agency to make available on the state or local agency's Internet website any required or requested report that contains confidential information, the disclosure of which is exempted or prohibited by provisions of federal or state law.